


DMA Policy: 3-0012

Name: DRUG FREE WORKPLACE POLICY

Reference: M.C.A. 45-9-102, 50-32-101, 61-8-401, 67-1-211

Approval Signature:



Effective Date: September 1, 2008

The Department of Military Affairs (DMA) is committed to a drug free workplace.

It is the policy of the State of Montana and the DMA that the unlawful manufacture, distribution, dispensing, possession or use of dangerous drugs as defined in Section 50-32-101, MCA, by any employee in the workplace or in a work status is prohibited.

State motor vehicles and/or aircraft will not be operated “under the influence” as defined in 61-8-401 and 67-1-211, MCA, nor will alcohol or dangerous drugs be consumed in State vehicle and/or aircraft.

The Department of Military Affairs recognizes substance abuse “dependency” as a disease. It is the policy of the department to assist employees who abuse alcohol and other drugs to the extent that their job performance is impaired.

The department further recognizes that there is a limit to the amount of assistance that can be provided to the affected employee, unless the employee recognizes the disease and is willing to receive the appropriate treatment to correct the problem.

If the job performance of a department employee indicates impairment or unacceptable job performance because of the use of alcohol or other drugs, the appropriate supervisor may suggest professional assistance of the affected employee.

If the impairment results in unacceptable job performance or is threatening the safety of the employee or others, the appropriate supervisor must document the impairment and unacceptable job performance, which may be attributable to the consumption of alcohol and/or other drugs.

An employee who violates this policy is subject to disciplinary action, up to and including discharge (termination) as provided in the State Discipline Handling Policy, ARM 2.21.6505.

This policy applies to full-time employees, part-time employees, and temporary employees and shall be used unless it conflicts with negotiated labor contract provisions, which shall take precedence to the extent applicable.

This policy is adopted in compliance with the Drug-Free Workplace Act of 1988 (pub.L. 100-690, title V subtitle D).